

COPY

Docket No.:

**DECLARATION
AND POWER OF ATTORNEY
Original Application**

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

STACK GATE WITH TIP VERTICAL MEMORY AND METHOD FOR FABRICATING
THE SAME

which is described and claimed in:

[X] the attached specification or [] the specification in application
Serial No. _____, filed on

(for declaration not accompanying appl.)

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR §1.56. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I hereby claim the priority benefits under 35 U.S.C. §119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

**FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS
PRIOR TO THE FILING DATE OF THIS APPLICATION**

| <u>COUNTRY</u> | <u>APPLICATION NO.</u> | <u>DATE OF FILING</u> (day, month, year) | <u>PRIORITY CLAIMED</u> <u>UNDER 35 U.S.C. 119</u> |
|----------------|------------------------|---|---|
| Taiwan, R.O.C. | 92100981 | 17 January 2003 | YES <u>X</u> NO <u> </u> |

**ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN
12 MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION**

| <u>COUNTRY</u> | <u>APPLICATION NO.</u> | <u>DATE OF FILING</u> |
|----------------|------------------------|-----------------------|
|----------------|------------------------|-----------------------|

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.

Filing Date.

(Status)
(patented, pending, abandoned)

POWER OF ATTORNEY:

As named inventor, I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Nelson A. Quintero, #52,143, of the firm Quintero Law Office

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Quintero Law Office to the contrary.

Please direct all correspondence to:

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Quintero Law Office
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Santa Monica, California 90404

Please direct telephone calls to:

Nelson A. Quintero
1-310-401-6180

FULL NAME AND RESIDENCE OF INVENTOR 1

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FULL NAME AND RESIDENCE OF INVENTOR 2

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FULL NAME AND RESIDENCE OF INVENTOR 3

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|--|---|---|
| LAST NAME: LIN | FIRST NAME: Chi-Hui | MIDDLE NAME: |
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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1: Ching Lin Hsiao DATED: 9 June 2003

SIGNATURE OF INVENTOR 2: Ying-Cheng Chuang DATED: 9 June 2003

SIGNATURE OF INVENTOR 3: Chi-Hui Lin DATED: 9 June 2003